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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,532	06/21/2006	Karl Griesbeck	30071/41834	9362
4743 7590 04/01/2008 MARSHALL, GERSTEIN & BORUN LLP 233 S. WACKER DRIVE, SUITE 6300 SEARS TOWER CHICAGO, IL 60606			EXAMINER NIESZ, JASON KAROL	
			ART UNIT 4147	PAPER NUMBER
			MAIL DATE 04/01/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/567,532

**Applicant(s)**

GRIESBECK, KARL

**Examiner**

JASON K. NIESZ

**Art Unit**

4147

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CIS-100)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date 02/06/2006

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on 02/06/2006 was considered by the examiner.

### ***Claim Objections***

2. Claims 4 and 5 are objected to because of the following informalities: claim 4 recites the limitation "the drop chute"; no drop chute is recited in claim 1, on which claim 4 depends. Claim 4 should be amended to depend on claim 2, which contains the proper antecedent basis for the drop chute. Furthermore, claim 4 recites the limitation "the outside walls of the frame" there is no antecedent basis for said outside walls in claim 4 or the claim on which it depends. Claim 4 is clearly meant to describe the outside walls disclosed in the specification and drawings will be interpreted as such for the purpose of application of prior art. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

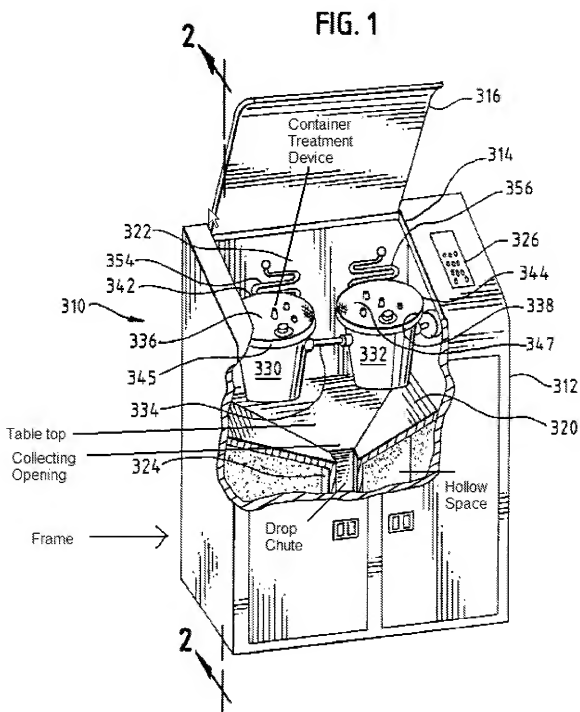
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 3, 4, 5, 6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Dunn (US Patent 6,263,887 B1).

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Figure 1 is Figure 1 from Dunn with labels added by the examiner.



In Re claim 1 with reference to Figure 1 above Dunn discloses a container treatment machine comprising: a frame, a table top and a collecting opening wherein the areas of said table top connected to the collecting opening are inclined with a falling slope to the collecting opening.

In Re claim 2 with reference to Figure 1 above Dunn discloses a drop chute connected to the collecting opening

In Re claim 3 with reference to Figure 1 above Dunn discloses a collecting opening having a rectangular base shape and being centrally located in a table top which also has a rectangular base shape.

In Re claims 4 and 5 with reference to Figure 1 above Dunn discloses a ring shaped hollow space between the drop chute and the outside walls of the frame. Statements of intended use have been considered and determined not to limit the structure of the invention: the hollow space disclosed in the prior art could be used to receive one of drive elements, and control elements.

In Re claim 6 with reference to Figure 1 above Dunn discloses a treatment device for containers arranged above the collecting opening.

In Re claim 8 statements of intended use have been considered and determined not to limit the structure of the invention: the container treatment device of the prior art could include an inspection machine.

5. Claims 1 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Goettel (US Patent 4,744,379).

6. In Re claims 1 and 7 with reference to Figure 2 Goettel discloses a washing apparatus comprising: a frame (20), a table top (27) a collecting opening (28) and a linear conveyor (22) arranged above the collecting opening, the areas of said table top connected to the collecting opening being inclined with a falling slope to the collecting opening.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wiltse (US Patent 4,440,185) discloses a drainage system comprising an inclined table top, a collection opening, and a drop chute. Wu (US Patent 6,145,521) discloses a cleaning system comprising a linear conveyor above an inclined table top and a collecting opening.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON K. NIESZ whose telephone number is (571)270-3920. The examiner can normally be reached on mon-fri 9-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Nguyen can be reached on (571) 272-4491. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason K Niesz  
Examiner  
Art Unit 4147

/Ninh H. Nguyen/  
Primary Examiner, Art Unit 3745  
03/31/08